

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 23,000 cubic yard detention dam, Site A-82 in Jackson County, will be received by the Delaware Watershed Joint District No. 10 at the district office, 125 W. 4th, Holton, 66436, until 2 p.m. November 25, and then opened. A copy of the invitation for bids and the plans and specifications can be reviewed at and obtained from the King Engineering, Inc. office, (785) 364-4312. A \$25 returnable deposit will be required for each set of plans and specifications.

Tracy D. Streeter
Executive Director

Doc. No. 019851

State of Kansas

Department of Wildlife and Parks

Notice to Bidders

The Kansas Department of Wildlife and Parks is currently taking bids to lease 79 acres of agricultural land on Fall River Wildlife Area in Greenwood County. Interested parties should contact Allen Stoops, Operations Office, Kansas Department of Wildlife and Parks, 512 S.E. 25th Ave., Pratt, 67124, (316) 672-0715, for further information. Bidding closes at 2 p.m. Friday, December 5.

Steven A. Williams
Secretary of Wildlife
and Parks

Doc. No. 019861

State of Kansas

Secretary of State

Usury Rate for November

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of November 1, 1997 through November 30, 1997, is 8.94 percent.

Ron Thornburgh
Secretary of State

Doc. No. 019863

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
Nov. 6	Care & Treatment	9:30 a.m.	Judicial Center, Room 259
Nov. 7	Criminal Law	9:30 a.m.	Judicial Center, Room 275-N
Nov. 7	Probate Law	9:30 a.m.	Judicial Center, Room 259
Nov. 7	Chapter 61	9:30 a.m.	Judicial Center, Room 364-N
Nov. 12	Lien Law	9:30 a.m.	Federal Courthouse, Wichita
Nov. 14	PIK-Criminal	9:30 a.m.	Judicial Center, Room 259
Nov. 21	Judicial Council	9:30 a.m.	Judicial Center, Room 259
Dec. 4	Care & Treatment	9:30 a.m.	Judicial Center, Room 259
Dec. 5	Probate Law	9:30 a.m.	Judicial Center, Room 259
Dec. 11	Chapter 61	9:30 a.m.	Judicial Center, Room 259

Hon. Tyler C. Lockett
Chair

Doc. No. 019853

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Secretary of State
2nd Floor, State Capitol
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(785) 296-4564



Register Office:
Room 233-N, State Capitol
(785) 296-3489
Fax (785) 291-3051

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 10 through November 23:

Date	Room	Time	Committee	Agenda
November 10	529-S	10:00 a.m.	Legislative Post Audit - Subcommittee	Legislative matters.
November 11	519-S	8:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Review actuarial valuation and projections for KPERs; hearings on COLA proposals and other matters.
November 12	519-S	8:00 a.m.		
November 12	123-S	10:00 a.m.	Joint Committee on State Building Construction	12th: Project updates - Dept. of Administration.
November 13	123-S	9:00 a.m.		13th: Project review - Board of Regents institutions.
November 12	313-S	10:00 a.m.	Task Force on Retail Wheeling	Task force mark-up of draft electric restructuring legislation.
November 13	313-S	9:00 a.m.		
November 14	313-S	9:00 a.m.		
November 12	514-S	10:00 a.m.	Special Committee on Education	12th: Topic #6 - Scholarship Options for Kansas Postsecondary Students, and Topic #5 - Truancy.
November 13	514-S	9:00 a.m.		13th: Committee deliberations.
November 17	313-S	12:30 p.m.	Special Committee on Assessment and Taxation	Reports on Interstate Direct Marketers' Agreement and on consensus of SGF revenue estimates; Governor's recommendations re Proposal #5 - SBOTA; final decisions and instructions to staff on all proposals.
November 18	313-S	9:00 a.m.		
November 17	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda unavailable.
November 18	514-S	9:00 a.m.		
November 18	519-S	1:00 p.m.	Legislative Educational Planning Committee	18th: Committee business.
November 19	Conference at Washburn	9:00 a.m.		19th: Conference in Bradbury Thompson Center.
November 17	526-S	10:00 a.m.	Legislative Post Audit Committee	Legislative matters.
November 18	123-S	10:00 a.m.	Special Committee on Judiciary	Review of reports and bill drafts - Topics 1-4, 6-7.
November 18	526-S	10:00 a.m.	Joint Committee on Economic Development	Agenda unavailable.
November 19	526-S	9:00 a.m.		
November 20	519-S	10:00 a.m.	Special Committee on Community College Governance	Agenda unavailable.
November 21	519-S	9:00 a.m.		
November 19	123-S	10:00 a.m.	Legislative Budget Committee	Agenda unavailable.
November 20	123-S	9:00 a.m.		
November 19	531-N	10:00 a.m.	Joint Committee on Computers and Telecommunications	Review agency technology plans and budget requests.
November 20	526-S	9:00 a.m.	Special Committee on Tourism	Agenda unavailable.
November 21	526-S	9:00 a.m.		
November 20	527-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda unavailable.
November 21	527-S	9:00 a.m.		

Emil Lutz
Director of Legislative
Administrative Services

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, November 21, in the State Banking Department's conference room, third floor, Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend.

Don A. Myer
Executive Director

Doc. No. 019864

State of Kansas

Department of Agriculture

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Monday, January 5, in the board room, Kansas Department of Agriculture, Mills Building, 901 S. Kansas Ave., Topeka, to consider the adoption of a proposed rule and regulation of the Kansas Department of Agriculture (KDA).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 901 S. Kansas, Topeka, 66612-1280. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Derenda Mitchell at (785) 296-3848 or the Kansas Relay Center at 1-800-766-3777. Handicapped parking is located at the north end of the Mills Building, and the east entrance (Kansas Ave. side) to the building is accessible.

A summary of the proposed regulation and its economic impact follows.

K.A.R. 4-7-213a. This regulation, which is proposed on both a temporary and a permanent basis, will reduce the maximum somatic cell count permitted in producer herd milk (cow milk only) from 1,000,000 to 750,000 per ml for manufacturing grade dairies.

In addition, the regulation reduces the maximum permissible bacteria count in producer herd milk from 1,000,000 to 500,000 per ml for manufacturing grade dairies. The maximum permissible bacteria estimate in commingled milk, the combined milk from more than one manufacturing grade milk producer, is reduced from 3,000,000 to 1,000,000 per ml.

The regulation explicitly sets out the new upper limits for somatic cells and bacteria in manufacturing milk in order for manufacturing producers to more easily identify the new limits.

The regulation sets standards which are consistent with the most recent version of the model requirements for manufacturing grade milk maintained by the Agricultural Marketing Service of the USDA. These standards promote, through state adoption and enforcement, uniformity in state dairy laws and regulations relating to manufacturing grade milk.

The proposed regulation is not mandated by federal law as a requirement for participating in a federally subsidized or assisted program.

The proposed regulation conforms to Kansas Law regarding rules and regulations to be adopted by the Dairy Commissioner and the Secretary of Agriculture.

Economic Impact

The training and orientation of KDA employees with regard to the regulation will be accomplished as a part of routine program operation at no additional cost. No direct or indirect costs to other governmental agencies or units are anticipated.

No direct or indirect costs for private citizens are anticipated. The private citizen as a consumer of milk and milk products should experience no increased costs and should benefit from having milk and milk products of high sanitary quality available in Kansas.

The owner/operator of a Grade A or a manufacturing dairy will bear most of the direct cost of this regulation.

No increased direct or indirect costs are anticipated for the owner/operator of a Grade A dairy. The owner or operator of a Grade A dairy whose milk does not meet the Grade A standards has had an option in the past to sell its milk as manufacturing grade provided that it met the standards for manufacturing milk. Given the new standards, some Grade A producers finding themselves in this situation following the adoption of this regulation may be required to dispose of their milk since it may no longer satisfy the manufacturing grade standards.

The owner/operator of manufacturing dairies will experience increased costs where the milk produced at the owner/operator's dairy fails to meet requirement and must be "dumped" or disposed of as a result.

No other methods were considered by the Kansas Department of Agriculture for achieving the stated purpose of this regulation, since the purpose of the regulation was to maintain the quality and sanitation of manufacturing grade milk from the dairy through production and processing at a level consistent with surrounding states. The levels established in the regulation promote uniformity in state laws and regulations relating to milk and dairy products.

This regulation will not increase nor decrease revenues of cities, counties or school districts. It does not impose functions or responsibilities on cities, counties or school districts.

Copies of the proposed regulation and the associated economic impact statement may be obtained from the Legal Division, Kansas Department of Agriculture, First Floor, Mills Building, 901 S. Kansas Ave., Topeka, 66612-1280, (785) 296-3848.

Alice A. Devine
Secretary of Agriculture

Doc. No. 019869

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks intends to sell certain real property owned by the department, commonly referred to as 425 S. Lincoln, City of Anthony, Harper County, Kansas. The department also intends to sell the one-third interest owned by the department of certain real property located in Greeley County, Kansas, and the one-half interest owned by the department of certain real property located in Grant County, Oklahoma.

This notice of intention to sell constitutes the required publication of such notice 30 days prior to commencement of such sale. Further information may be obtained by contacting Kent Monte, Operations Office, Kansas Department of Wildlife and Parks, 512 S.E. 25th Ave., Pratt, 67124, (316) 672-5911.

Steven A. Williams
Secretary of Wildlife
and Parks

Doc. No. 019862

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information.

Monday, November 17, 1997

32805

Kansas Neurological Institute—Floor care products

6799

Topeka Correctional Facility—Auctioneering services

6813

Department of Health and Environment—Gas chromatograph system

6815

Kansas Bureau of Investigation—Gas chromatograph/mass spectrometer

6821

Department of Health and Environment—Portable X-ray fluorescence analyzer

6822

Kansas State University—New or used lab benches and tops in classroom

Tuesday, November 18, 1997

A-8197

Parsons State Hospital and Training Center—Egress modifications to the media center, UAF hospital

6800

Kansas State University—Hi-Pro soybean meal

6826

Pittsburg State University—IDL video equipment

6827

Emporia State University—Furnish and set up exercise equipment

Wednesday, November 19, 1997

6806

Department of Wildlife and Parks—Law enforcement patrol boat, trailer and motor, Wichita

6808

El Dorado Correctional Facility—Electrical cable

6809

Department of Wildlife and Parks—Agricultural activities, Norton

6811

Kansas Correctional Industries—Wood and steel posts

6819

Wichita State University—Furnish and set up broadcast video server system

Thursday, November 20, 1997

A-7477(a), A-7478(a)

Department of Transportation—Insulate equipment wash building, Minneapolis and McPherson

A-7495(a), A-7496(a), A-7497(a), A-07498(a)

Department of Transportation—Insulate equipment wash building, Topeka, Atchison, Wamego and Osage City

32793

Department of Social and Rehabilitation Services—Paternity testing services

6807

Kansas Neurological Institute—Miscellaneous kitchen equipment and small wares

6812

Department of Wildlife and Parks—Electrofishing boat and trailer, Chanute

Friday, November 21, 1997

A-7475(a), A-7476(a), A-7487(a), A-7488(a)

Department of Transportation—Insulate equipment wash building, Colby, Phillipsburg, Oakley and Russell

6828

Department of Corrections—UST cathodic protection and soil testing

Monday, December 1, 1997

32801

All agencies of the State of Kansas—Document imaging services

Tuesday, December 2, 1997

A-8422

Pittsburg State University—Partial roof replacement, Kelce Center

John T. Houlihan
Director of Purchases

Doc. No. 019877

(Published in the Kansas Register November 6, 1997.)

Summary Notice of Bond Sale**\$1,115,000****City of Augusta, Kansas****General Obligation Internal Improvement Bonds
Series B, 1997****(General obligation internal improvement bonds
payable from unlimited ad valorem taxes)****Sealed Bids**

Subject to the notice of bond sale dated November 3, 1997, sealed bids will be received by the clerk of the City of Augusta, Kansas (the issuer), on behalf of the governing body at 6th and School Streets, Augusta, KS 67010, until 5 p.m. November 17, 1997, for the purchase of \$1,115,000 principal amount of General Obligation Internal Improvement Bonds, Series B, 1997. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated November 15, 1997, and will become due on September 1 in the years as follows:

Year	Principal Amount
1999	\$ 45,000
2000	95,000
2001	100,000
2002	110,000
2003	115,000
2004	120,000
2005	125,000
2006	130,000
2007	135,000
2008	140,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company (DTC).

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, or a qualified financial surety bond, in the amount of \$22,300 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 26, 1997, at DTC for the account of the suc-

cessful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$36,170,703. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$6,105,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 775-4510, or from the financial advisor, Cooper Malone McClain, Inc., Wichita, Kansas, Attention: David Malone, (316) 264-2400.

Dated November 3, 1997.

City of Augusta, Kansas

Doc. No. 019873

(Published in the Kansas Register November 6, 1997.)

Statutory Notice of Bond Sale**City of Roeland Park, Kansas****\$2,755,000****Internal Improvement Bonds****Series 1997****(General obligations payable from
unlimited ad valorem taxes)****Sale Period**

Sealed bids will be received by the undersigned city clerk of the City of Roeland Park, Kansas, on behalf of the governing body at the Roeland Park City Hall, 4600 W. 51st, Roeland Park, KS 66205, until 11 a.m. Thursday, November 13, 1997, for the purchase of the city's Internal Improvement Bonds, Series 1997, in the principal amount of \$2,755,000, as hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body at 7:30 a.m. Friday, November 14, 1997. No oral or auction bids will be considered. No bid of less than the par value of the bonds and accrued interest thereon to the date of delivery of the bonds will be considered.

Bond Details

The bonds will be certificated, book entry or any other form acceptable to both the city and the successful bidder and authorized by state and federal law. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof; will be dated December 1, 1997; and will become due serially on December 1 in each of the years as follows:

\$2,755,000
Internal Improvement Bonds
Series 1997

Maturity December 1	Principal Amount
1998	\$225,000
1999	235,000
2000	245,000
2001	255,000
2002	265,000
2003	280,000
2004	290,000
2005	305,000
2006	320,000
2007	335,000

The bonds will bear interest from their date at rates to be determined when the bonds are sold as herein provided, which interest will be payable semiannually on June 1 and December 1 in each year, commencing June 1, 1998.

Delivery and Payment

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost on or about December 11, 1997, at such bank or trust company in the continental United States as may be specified by the successful bidder and is acceptable to the city.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check or financial surety bond in the amount of \$55,100 must accompany each proposal for the bonds.

Costs

The city will pay the cost of printing the bonds and the expense of all legal services, including the opinion of McDowell, Rice, Smith & Gaar, a Professional Corporation, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the bonds, the assessed valuation of the taxable tangible property within the city as of November 1, 1996, is \$42,0989,824. The total general obligation indebtedness, including temporary notes, of the city, as of the date of the bonds, including the bonds and temporary notes to be retired with proceeds of the bonds, is \$9,422,000. Temporary notes of the city in the principal amount of \$2,682,000 will be retired out of the proceeds of the bonds and other available funds of the city.

Additional Information

A complete notice of bond sale, preliminary official statement and bid forms approved by the city will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the city clerk, (913) 722-2600, or from McDowell, Rice, Smith & Gaar, a Professional Corporation, bond counsel, at (913) 338-5400.

City of Roeland Park, Kansas
By: Anthony J. Pluta
City Clerk
Roeland Park City Hall
4600 W. 51st
Roeland Park, KS 66205

State of Kansas
Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 98-00 by adding the following projects:

Project C-3543-10, Grading and bridge replacement over Hickory Creek, 8 miles south and 9.6 miles east of Jct. US-59/K-57, Neosho County

Project C-3566-01, Grading and surfacing, 2 miles west of Phillipsburg, Phillips County

Project U-1644-01, Grading and bridge replacement, Walnut Street Bridge over the Smoky Hill River in Saline, Saline County

Project K-6864-01, Grading, surfacing and bridge replacement, Amazon Ditch Bridge, 1.21 km north of Jct. US-50, Kearny County

The STIP amendment requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude December 5.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019847

State of Kansas
Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified engineering firms for projects listed below. Responses must be received by 5 p.m. November 20 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned

(continued)

Doc. No. 019874

to the project. Firms not selected to be short listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

Project No. 18-31 K-6795-01

Geary County

18-81 K-6796-01

Riley County

The scope of services is to provide the surface rehabilitation of 8.0 km of K-18 from I-70 in Geary County to 4-lane/2-lane in Riley County. The construction estimate is \$3,473,000.

24-23 K-6798-01

Douglas County

24-44 K-6797-01

Jefferson County

The scope of services is to provide for the reconstruction of 1.74 km of US-24 from the junction of US-59 in Jefferson County east to the junction of K-32 in Douglas County. The construction estimate is \$18,487,000.

69-11 K-6799-01

Cherokee County

The scope of services is to provide for the reconstruction 19.2 km of US-69 from the Oklahoma state line, north to the south city limits of Columbus, including the replacement of the Brush Creek Drainage Bridge (007). The construction estimate is \$22,538,000.

77-57 K-6800-01

Marion County

The scope of services is to provide for the reconstruction of 7.1 km of US-77 from the Butler County line, north to 1.6 km south of RS 875. The construction estimate is \$7,849,000.

99-78 K-6801-01

Reno County

The scope of services is to provide for the reconstruction of 5.6 km of K-99 from 7.4 km southeast of the east city limits of Nickerson, southeast to the west city limits of Hutchinson. The estimated construction cost is \$9,959,000.

156-27 K-6802-01

Ellsworth County

The scope of services is to provide for the reconstruction of 20.4 km of K-156 from the east city limits of Holyrood, northeast to K-14, including the replacement of the Plum Creek Drainage Bridge (021). The estimated construction cost is \$10,125,000.

283-98 K-6803-01

283-98 K-6804-01

Trego County

The scope of services is to provide for the reconstruction of 35.1 km of US-283 from the Ness County line, north to 0.2 km south of I-70, including the replacement of Bridges 034, 035, 036, 037, 038, 039 and 040. The estimated construction cost is \$37,080,000.

Project No. 27-47 K-6864-01

Kearny County

The scope of services is to provide for the replacement of Amazon Ditch Bridge (010), 1.21 km north of US-50. The construction estimate is \$694,000.

Project No. 106 AV-0001-01

Statewide

The scope of services is to provide new or updated airport layout plans (ALPs) for six general aviation airports in Kansas: Abilene Municipal in Abilene; Eureka Municipal in Eureka; Norton Municipal in Norton; Stanton County Municipal in Johnson; Trego-WaKeeney in WaKeeney; and Chanute Martin Johnson in Chanute. A single consultant will be selected to prepare the six ALP updates. The consultant will prepare a narrative report and new CADD-generated plan drawings for each airport in accordance with Federal Aviation Administration (FAA) Advisory Circular 150/5300-13, Airport Design. The consultant will be required to provide copies of the draft ALP materials for review and approval by each of the six airport sponsors, the Kansas Department of Transportation, and the FAA. The consultant will be required to ensure that all items on the FAA Central Region Airport Division ALP checklist have been appropriately addressed.

This project is scheduled to take up to one year to complete. The project is to be managed by the Kansas Department of Transportation. Funding for the project will be provided under an aviation system planning grant received by the Department of Transportation from the FAA. The approved DBE goal for this project is not less than 10 percent of the federal funds authorized for the proposed project. The consultant who is awarded the contract will ensure that disadvantaged business enterprises, as defined in 49 CFR Part 23, have the maximum opportunity to participate in the performance of the proposed project in order to meet or exceed the stated DBE goal.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. Experience of staff;
3. Location of firm with respect to proposed project;
4. Work load of firm; and
5. Firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019860

State of Kansas

Workers Compensation Advisory Council**Notice of Meeting**

The Kansas Workers Compensation Advisory Council will meet at 10 a.m. Thursday, November 13, at the Kansas Medical Society, 623 S.W. 10th, lower level, Topeka. Further information may be obtained by contacting the director, Division of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka, 66612-1227, (785) 296-4000.

Wayne L. Franklin
Secretary of Human Resources

Doc. No. 019859

State of Kansas

Department of Transportation**Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, or at the Clarion Hotel, Wichita, until 2 p.m. November 19, and then publicly opened:

District One—Northeast

Douglas—23 C 3381-01—County road, 0.3 mile (0.4 kilometer) west of Eudora, 0.6 mile (1 kilometer), grading, bridge and surfacing. (Federal Funds)

Jackson-Pottawatomie—16-106—K-6731-01—K-16, from the Pottawatomie-Jackson county line, east to the K-79 junction; K-16, from the K-79 junction east to the west city limits of Holton, K-16, from the north junction of K-99, east, south and east to the Pottawatomie-Jackson county line, 36.1 miles (58.1 kilometers), overlay. (State Funds)

Johnson—46 C-3013-01—135th Street, 7.5 miles (12 kilometers) west of K-7, 0.059 mile (0.096 kilometer), grading, bridge and surfacing. (Federal Funds)

Marshall—58 K-6729-01—U.S. 77, from the west junction of U.S. 36, north to the Kansas-Nebraska state line; K-233, from the U.S. 77 junction east to the south city limits of Oketo; U.S. 36, from the four-lane divided highway east to the west city limits of Marysville, 16 miles (25.7 kilometers), recycling and overlay. (State Funds)

Marshall-Pottawatomie—106 K-6730-01—K-99, from the Pottawatomie-Marshall county line north to the south junction of K-9; K-99, from the south junction of K-9 north to the U.S. 36 junction; K-99, from the north junction of K-16 north to the Pottawatomie-Marshall county line, 23.9 miles (38.4 kilometers), overlay. (State Funds)

Riley—81 C-3404-01—Browning Avenue, north of the north city limits of Manhattan, 0.25 mile (0.4 kilometer), grading and surfacing. (Federal Funds)

Riley—81 K-6732-01—K-18, from the K-114 junction to the four-lane divided highway at Manhattan; K-113, from Marlatt Avenue north to the U.S. 24 junction at Manhattan, 8.9 miles (14.3 kilometers), overlay. (State Funds)

Shawnee—89 U-1596-01—29th and Indiana Street in Topeka, intersection improvement. (Federal Funds)

Wabaunsee—99 K-6733-01—K-4, from the Morris-Wabaunsee county line east to the east junction of K-99; K-

180, from the K-4 junction to the south city limits of Alta Vista, 24.1 miles (38.8 kilometers), overlay. (State Funds)

Wabaunsee—30-99 K-6522-01—K-30, from I-70, north and east to the south city limits of Maple Hill, 2 miles (3.1 kilometers), overlay. (State Funds)

Wyandotte—635-105 K-6612-01—Interstate 635, Bridges 52 and 53 southbound and northbound over Victory Drive, bridge overlay. (State Funds)

Wyandotte—635-105 K-6877-01—I-635, south abutment slope at the 27th Street Bridge, slope repair. (State Funds)

District Two—Northcentral

Clay—24-14 K-6618-01—U.S. 24, Bridge 001, Five Creek drainage, bridge overlay. (State Funds)

Geary—77-31 K-5373-01—U.S. 77, Republican River Bridge, 0.5 mile (0.8 kilometer) north of U.S. 77A, bridge replacement. (Federal Funds)

Washington—101 C-3188-01—County road, 6.8 miles (9.2 kilometers) north and 3.6 miles (5.8 kilometers) east of Washington, grading and bridge. (Federal Funds)

Washington—36-101 K-5383-02—U.S. 36, east bank Little Blue River Bridge, grading. (State Funds)

District Three—Northwest

Graham-Rooks—18-106 K-6734-01—K-18, from the junction of U.S. 24 south and east to the Graham-Rooks county line; K-18, from the Graham-Rooks county line east to U.S. 183 at Plainville, 26.9 miles (43.4 kilometers), overlay. (State Funds)

Norton—283-69 K-5392-02—County Route 530, from the junction of K-9 at Logan to the junction of U.S. 36 at Prairie View, 11.4 miles (18.4 kilometers), overlay. (State Funds)

Osborne-Russell-Smith—106 K-6736-01—U.S. 281, from the Russell-Osborne county line north to the south city limits of Osborne; U.S. 24, from the north junction of U.S. 281 east to the Osborne-Mitchell county line; U.S. 281, from the east junction of K-18 north to the Russell-Osborne county line; U.S. 281, from the Osborne-Smith county line northwest and north to the south city limits of Smith Center, 49.4 miles (79.5 kilometers), recycling and overlay. (State Funds)

Rooks—183-82 K-6862-01—U.S. 183, from K-18 north 10.3 miles (16.6 kilometers), seeding and sodding. (State Funds)

District Four—Southeast

Coffey—16 C 1896-01—County road, 0.5 mile (0.8 kilometer) west and 4.7 miles (7.6 kilometers) south of Waverly, 0.2 mile (0.3 kilometer), grading and bridge. (State Funds)

Greenwood-Labette-Montgomery—106 K-6737-01—U.S. 54, from the east junction of K-99 east to the Greenwood-Woodson county line; K-101, from the U.S. 166 junction north to the K-96 junction; K-134, from the U.S. 166 junction north to the south city limits of Bartlett; U.S. 166, 1 mile (1.6 kilometers) west of the west city limits of Coffeyville, 38.2 miles (61.5 kilometers), overlay. (State Funds)

(continued)

Labette—166-50 K-5553-01—U.S. 166, MKT Railroad Bridge 037, 14.1 miles (22.7 kilometers) east of K-101, grading, bridge and surfacing. (Federal Funds)

Labette—59-50 K-6498-01—U.S. 59, from the Oklahoma-Kansas state line north 22 miles (35.5 kilometers), overlay. (State Funds)

District Five—Southcentral

Barton—56-5 M-1874-01—U.S. 56, KDOT mixing strip at the east city limits of Great Bend, stockpile bituminous material. (State Funds)

Barton—56-5 K-6889-01—U.S. 56, from the east city limits of Great Bend, east to the west city limits of Ellinwood, 8.1 miles (13.1 kilometers), overlay. (State Funds)

Butler—77-8 K-2323-01—U.S. 77, Walnut River Bridge 31, 13.1 miles (21 kilometers) north of the Cowley-Butler county line, bridge replacement. (Federal Funds)

Rice—4-80 K-6633-01—K-4, Bridge 19 (Calf Creek), Bridge 21 (Plum Creek) and Bridge 28 (Little Cow Creek), bridge overlay. (State Funds)

Sedgwick—235-87 K-5612-01—I-235 Interchange at K-42 in Wichita, traffic signals. (Federal Funds)

District Six—Southwest

Clark—34-13 M-1868-01—K-34, KDOT mixing strip at the west U.S. 160/U.S. 183 junction, stockpile bituminous material. (State Funds)

Clark-Ford—34-106 K-6741-01—K-34, from the U.S. 160 junction north to the Clark-Ford county line; K-34, from the Clark-Ford county line north to the east junction of U.S. 54, 25.5 miles (41.1 kilometers), overlay. (State Funds)

Finney—83-28 K-6007-01—South junction of U.S. 83/U.S. 83B, south of Garden City, 0.9 mile (1.5 kilometers), intersection improvement. (State Funds)

Finney—23-28 M-1867-01—K-23, KDOT mixing strip along K-156 at the east K-23 junction, stockpile bituminous material. (State Funds)

Finney—50-28 K-6547-01—U.S. 50, 5.2 miles (8.4 kilometers) east of the Kearney-Finney county line east and south 9.8 miles (15.8 kilometers), joint repair. (State Funds)

Finney-Hodgeman—106 K-6739-01—K-23, from the east junction of K-156 west to the west junction of K-156; K-156, from the Finney-Hodgeman county line east to 0.6 mile (1 kilometer) east of the U.S. 283 junction, 25.5 miles (41 kilometers), recycle and overlay. (State Funds)

Ford—56-29 M-1866-01—U.S. 56, KDOT mixing strip 1 mile (1.6 kilometers) south of the U.S. 56 junction, stockpile bituminous material. (State Funds)

Ford—29 K-6740-01—U.S. 50, from the east city limits of Dodge City to 0.2 mile (0.3 kilometer) east of the east junction of U.S. 283; U.S. 56, from the east city limits of Dodge City northeast to the U.S. 50 junction; U.S. 50, from County Route 944 east to the west city limits of Dodge City, 16.6 miles (26.7 kilometers), overlay. (State Funds)

Gray—23-35 M-1865-01—K-23, KDOT mixing strip north of the U.S. 50 junction, stockpile bituminous material. (State Funds)

Gray—23-35 K-6553-01—K-23, from the U.S. 56 junction north to the south city limits of Cimarron, 12 miles (19.2 kilometers), overlay. (State Funds)

Haskell—83-41 M-1860-01—U.S. 83, KDOT mixing strip 0.5 mile (0.8 kilometer) north of the U.S. 56 junction, stockpile bituminous material. (State Funds)

Haskell-Seward-Stevens—56-106 K-6726-01—U.S. 56, from the Seward-Haskell county line northeast to the U.S. 83 junction; U.S. 56, from the Stevens-Seward county line northeast to the Seward-Haskell county line; U.S. 56, from the south city limits of Moscow northeast to the Stevens-Seward county line, 22.5 miles (36.2 kilometers), recycle and overlay. (State Funds)

Hodgeman—156-42 M-1862-01—K-156, KDOT mixing strip 2 miles (3.4 kilometers) west of the U.S. 283 junction, stockpile bituminous material. (State Funds)

Kearney—25-47 K-6560-01—K-25, from the Grant-Kearney county line north to the south city limits of Lakin, 16.1 miles (25.9 kilometers), overlay. (State Funds)

Ness—96-68 K-6563-01—K-96, from the Lane-Ness county line east to the west city limits of Ness City, 18.3 miles (29.5 kilometers), overlay. (State Funds)

Ness—4-68 M-1863-01—K-4, KDOT mixing strip 0.5 mile (0.8 kilometer) west of the U.S. 283 junction, stockpile bituminous material. (State Funds)

Ness—96-68 M-1864-01—K-96, KDOT mixing strip east of the U.S. 283 junction, stockpile bituminous material. (State Funds)

Ness—68 K-6738-01—K-4, from the junction of U.S. 283 east to the Ness-Rush county line; K-147, from the K-4 junction north to the Ness-Trego county line, 20.1 miles (33.7 kilometers), overlay. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019826

State of Kansas

Department of Transportation

Request for Proposals

The Kansas Department of Transportation is seeking to use its right-of-way for the building of a fiber optic infrastructure, providing the agency with means for meeting current and future Intelligent Transportation System (ITS) needs. The goal of the project is to obtain a fiber optic infrastructure that can be used to support the various aspects of ITS deployments within the Kansas City metropolitan area.

KDOT is offering access-controlled right-of-way to interested companies with the intention of allowing these companies to install and operate fiber optic networks along the right-of-way in exchange for dedicated channel capacity, fiber optic services and infrastructure components to support ITS deployment.

A copy of KDOT's Fiber Optic Infrastructure System Proposal is available and may be requested via mail, fax or phone to the KDOT Bureau of Construction and Maintenance, 8th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-3576 or fax (785) 296-6944. Please refer to the Fiber Optic Proposal when making your request. Bids will be due December 31.

For further information, contact Matthew Volz, ITS Coordinator for KDOT, at (785) 296-6356 (e-mail at mattv@dtdsob2.wpo.state.ks.us), or Mick Halter, KDOT Kansas City Metro Engineer, at (913) 677-5963.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019865

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-97-252/255

Name and Address of Applicant	Legal Description	Receiving Water
H & H Farms, Inc. P.O. Box 564 Colby, KS 67701	Sec. 27 & 34, T8S, R33W, Thomas County	Solomon River
Kansas Permit No. A-SOTH-C001		Federal Permit No. KS-0115754

This is an existing facility for 4,000 head (4,000 animal units) of cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Helendale Ranch Route 1, Box 22 Oakley, KS 67748	NW/4 of Sec. 12, T11S, R31W, Gove County	Smoky Hill River
Kansas Permit No. A-SHGO-C011		Federal Permit No. KS-0094188

This is an expansion of an existing facility for 1,500 head (1,500 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Wilkens Farms Dwayne Wilkens 1275 Heritage Road Linn, KS 66953	NW/4 of Sec. 32, T3S, R2E, Washington County	Big Blue River Basin
Kansas Permit No. A-BBWS-H005		Federal Permit No. KS-0094137

This is an expansion of an existing facility for 3,600 head (1,440 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 10 acre inch per acre per year.

A copy of the agreement with Ronald Bott to dewater the earthen retention structure shall be submitted to the department within two months after issuance of this permit. The dewatering equipment shall be capable of pumping at least 300 gallons per minute and dispersing the wastewater over 75 acres of land suitable for waste application.

Name and Address of Applicant	Legal Description	Receiving Water
Dwight Yarrow 975 Navajo Road Clay Center, KS 67432	SW/4 of Sec. 20, T9, R3E, Clay County	Republican River
Kansas Permit No. A-LRCY-B002		

This is a new facility for 300 head (150 animal units) of cattle.

(continued)

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.0 acre inch per acre per year and solids shall be applied at not greater than 5.0 ton per acre.

Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 75 gallons per minute and dispersing the wastewater over 20 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Location: 715 Corey Road, Hutchinson, Kansas

Facility Description: The proposed action is to re-issue an existing permit for discharge of noncontact cooling water. This facility manufactures precision metal components for use in farm and industrial machinery. About 8,600 gpd of city water used for noncontact cooling in a heat exchanger on an air compressor is discharged to the GVI ditch. No cooling water additives are utilized. Domestic wastewater and process waters are routed to the city sanitary sewer. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Wescor Products Co. P.O. Box 7710 Wichita, KS 67217	Arkansas River via storm sewer	Noncontact cooling water

Kansas Permit No. I-AR94-PO62 Federal Permit No. KS0000825

Location: 2810 Southwest St., Wichita, Kansas

Facility Description: The proposed action is to re-issue an existing permit for discharge of noncontact cooling water. This facility manufactures outdoor equipment and proprietary injection molded plastic items. About 648,000 gpd of groundwater used for noncontact cooling water is discharged to the storm sewer. No chemical additives or chlorine is used in the cooling water. Due to the presence of volatile organic chemicals (VOCs) in the groundwater, annual sampling and analysis of the discharge for VOCs is required. Domestic wastewater is discharged into the sanitary sewer. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Public Notice No. KS-97-158/162

Name and Address of Applicant	Waterway	Type of Discharge
Century Lubricating Oils, Inc. 2140 S. 88th Kansas City, KS 66111	Kansas River via storm sewer	Noncontact cooling water

Kansas Permit No. I-KS27-CO09 Federal Permit No. KS0086665

Location: SE1/4, S30, T11S, R24E, Wyandotte County

Facility Description: The proposed action is to re-issue an existing permit for discharge of noncontact cooling water. The facility blends oils and produces grease for lubricants. Well water, used for noncontact cooling, is discharged at a rate of 19,200 gpd to the storm sewer. Domestic wastewater and stormwater (routed through an oil water separator) are discharged to the sanitary sewer. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Legal Description	Receiving Water
The Moore Rubber Co., Inc. P.O. Box 3388 Shawnee, KS 66203	Kansas River via Mill Creek via storm sewer	Noncontact cooling water

Kansas Permit No. I-KS68-CO01 Federal Permit No. KS0085324

Location: NE1/4, S11, T12S, R23E, Johnson County

Facility Description: The proposed action is to re-issue an existing permit for discharge of noncontact cooling water. The facility is engaged in the custom manufacturing of molded rubber machine parts. City water, used for noncontact cooling, is discharged at a rate of 14,000 gpd to the storm sewer. Domestic wastewater is directed to a septic tank and periodically hauled off by a tank service company. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Nelson Quarries, Inc. P.O. Box 124 LaHarpe, KS 66751	Neosho River via Flat Rock Creek via unnamed tributary	Quarry dewatering and stormwater

Kansas Permit No. I-NE07-PO03 Federal Permit No. KS0082589

Location: NW1/4 & NE1/4, S24, T21S, R15E, Coffey County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry wastewater discharge. This is a limestone quarrying and crushing operation with no washing. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
TSW Products Co., Inc. P.O. Box 1642 Hutchinson, KS 66504-1642	Arkansas River via Cow Creek via GVI ditch	Noncontact cooling water

Kansas Permit No. I-AR49-CO11 Federal Permit No. KS0088137

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments post-marked or received on or before December 6 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-97-252/255, KS-97-158/162 and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019066

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1996 Supp. 75-4210. These rates and their uses are defined in K.S.A. 1996 Supp. 12-1675(b)(c)(d), and K.S.A. 1996 Supp. 75-4201(l) and 75-4209(a)(1)(B).

Effective 11-3-97 through 11-9-97

Term	Rate
1-89 days	5.53%
3 months	5.37%
6 months	5.49%
9 months	5.53%
12 months	5.59%
18 months	5.62%
24 months	5.63%

William E. Lewis
Chairman

Doc. No. 019848

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. The Coleman Company, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to modify production processes and buildings at its Maize facility to capture volatile organic compounds (VOCs) and route the captured VOCs to a catalytic oxidizer. Propane is the VOC of primary concern at Coleman's Maize facility. The oxidizer will be designed to destroy 99.99 percent of the VOCs, preventing their release into the atmosphere. Emissions of VOCs (propane) were evaluated during the permit review process.

The Coleman Company, Inc. owns and operates the stationary source located at 5605 N. 119th St. West, Maize, at which the modifications and installations are to be completed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact John Ramsey, (785) 296-1992, at the KDHE central office, or John Stark, (316) 268-8449, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to John Ramsey, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit

decision, written comments must be received by the close of business December 8.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 8 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health and Environment

Doc. No. 019857

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. SDS, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

SDS, Inc., El Dorado, owns and operates a steel drum recycling facility located at 520 N. Industrial Road, El Dorado.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE south central district office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (785) 296-6438, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE south central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 8.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 8 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health and Environment

Doc. No. 019856

State of Kansas

Department of Revenue

Revenue Ruling 19-1997-3

Issue: Application of Kansas Retailers' Sales Tax on Sales of Trailers for Farm and Ranch Use

Relevant Statutes: K.S.A. 79-3606(t), K.S.A. 8-126(z)

The purpose of this revenue ruling is to clarify the taxation of trailers acquired for farm and ranch use.

Trailers may be exempt from retailers' sales tax as farm machinery and equipment. In order to be exempt, the trailer must be purchased for use only in farming and ranching, per K.S.A. 79-3606(t). The trailer also must be designed to allow for farm or ranch use, per K.S.A. 8-126(z). The purchaser must sign an affidavit certifying that the trailer will be used only in farming or ranching. It should be stressed that any other use would disqualify the trailer for exemption. Disqualification of the exemption would subject the purchaser to the retailers' sales tax, penalty and interest on the original purchase amount.

Anyone who has questions or wishes to discuss this ruling may contact the Taxpayer Assistance Bureau, Kansas Department of Revenue, Topeka, 66625-0001, (785) 296-0222.

John D. LaFaver
Secretary of Revenue

Doc. No. 019858

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Hamm Asphalt, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of volatile organic compound (VOC), nitrogen oxides (NOx) and particulate matter less than 10 micrometers (PM-10) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Hamm Asphalt, Inc., Perry, owns and operates a portable hot-mix asphalt facility.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northeast district office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (785) 296-6438, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE northeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit

decision, written comments must be received by the close of business December 8.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 8 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019854

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Parsons State Hospital has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of sulfur oxide (SOx) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Parsons State Hospital owns and operates a series of boilers and generators for its psychiatric hospital located at 2601 Gabriel, Parsons.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southeast district office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (785) 296-6438, at the KDHE central office, or Lynn Ranabargar, (316) 431-2390, at the KDHE southeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 8.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 8 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019855

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed supplemental air quality operating permit. Kansas Gas Supply Corporation has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of this supplemental Class I permit is to identify the applicable requirements of 40 CFR 60, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels) for this source. This supplemental permit will become an attachment to the general operating permit authorization and become part of the Class I operating permit for the source. The authorization and attachment will be issued simultaneously following the public participation period.

Kansas Gas Supply Corporation, Houston, Texas, owns and operates the Medicine Lodge compressor station located at Sec. 25, T31S, R12W, Barber County, Kansas.

A copy of the proposed supplemental permit, permit application, all supporting documentation and all information relied upon during the supplemental permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed supplemental permit and supporting documentation, contact Douglas S. Warren, (785) 296-6281, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed supplemental permit to Douglas S. Warren, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 8.

A person may request a public hearing be conducted on the proposed supplemental permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 8 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has 45 days after receipt of the proposed Class I operating permit within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to make such objection. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period

or unless the grounds for such objection arose after such period.

A copy of the supplemental Class I operating permit and application are being submitted to the EPA simultaneously with publication of this notice. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 726 Minnesota Ave., Kansas City, KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019875

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed Class II air quality operating permit for Farmland Industries, Inc. in accordance with the provisions of K.A.R. 28-19-540. Emissions of hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Farmland Industries, Inc., Kansas City, Missouri, owns and operates a petroleum bulk station and terminal located at Terminal, North Highway 183, Phillipsburg.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northwest district office, 2301 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office, or Rick Robinson, (785) 625-5663, at the KDHE northwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 8.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 8 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019876

State of Kansas

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Friday, November 21, 1997

728058

Bulb and ballast disposal

Barbara Lockhart
Purchasing Director

Doc. No. 019872

State of Kansas

Board of Healing Arts

Temporary Administrative
Regulations

Article 23.—TREATMENT OF OBESITY

100-23-1. Treatment of obesity. A person shall not dispense or prescribe controlled substances to treat obesity, as defined by this regulation, except in conformity with the following minimal requirements. (a) Amphetamines shall not be dispensed or prescribed to treat obesity.

(b) The treating physician shall personally take a complete history of the patient and shall personally give a complete physical examination. The physical examination shall include checking the blood pressure and pulse, examining the heart and lungs, recording weight and height, and administering any other appropriate diagnostic tests. The history and examination shall determine if controlled substances are contraindicated and if any comorbidity exists. The treating physician shall enter each of these findings in the patient's record.

(c) The treating physician shall prescribe nutritional counselling, including behavior modification and appropriate exercise for weight loss, and record these parameters on the patient record.

(d) The treating physician shall provide written informed consent information before initially dispensing, prescribing, or administering controlled substances to treat obesity. This informed consent shall identify risks associated with the use of the controlled substances and shall identify each variance between the actual drug regimen prescribed by the physician and the dosage and administration instructions as stated in the manufacturer's package insert.

(e) The treating physician shall not dispense or prescribe more than a 30-day supply of controlled substances, at one time, to treat obesity.

(f) Except as provided by subsection (g) of this regulation, the treating physician may continuously dispense or prescribe controlled substances to treat obesity when the physician observes and records that the patient significantly benefits from the controlled substances and has no serious adverse effects related to the drug regime. A

patient significantly benefits from the controlled substances when weight is reduced, or when weight loss is maintained and any existing co-morbidity is reduced. At the time of each return patient visit, the treating physician shall monitor progress of the patient; the treating physician or a person acting at the treating physician's order shall check the patient's weight, blood pressure, pulse, heart and lungs. The findings shall be entered in the patient's record.

(g) The treating physician shall not dispense or prescribe additional controlled substances to treat obesity for a patient who has not achieved a weight loss of at least 5% of the patient's initial weight, during the initial 90 days of treatment using controlled substances to treat obesity.

(h) As used in this regulation, the term "controlled substance" means any drug included in any schedule of the Kansas uniform controlled substances act.

(i) As used in this regulation, the term "obesity" means a documented diagnosis of excess adipose tissue, resulting in body weight of 30% or more in excess of expected body weight, as determined by body mass index. Body mass index is calculated by dividing measured body weight in kilograms by body height in meters squared (kg/m^2). The expected weight is 20-25 kg/m^2 . (Authorized by and implementing K.S.A. 65-2837a, as amended by L. 1997, Ch. 57, § 1; effective, T-86-25, July 24, 1985; effective May 1, 1986; amended, T-100-12-16-96, Dec. 16, 1996; amended May 9, 1997; amended, T-100-7-1-97, July 1, 1997; amended, T-100-10-30-97, Oct. 30, 1997.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 019871

State of Kansas

Department of Agriculture

Temporary Administrative
Regulations

Article 7.—MILK AND DAIRY PRODUCTS

4-7-213a. Milk for manufacturing purposes: bacterial and somatic cell count. (a) The following sentence shall replace paragraphs (c) and (d) of Section C 4 in the material adopted by reference in K.A.R. 4-7-213.

"(c) Milk for manufacturing purposes shall not contain more than 500,000 bacteria per milliliter."

(b) The following sentence shall replace subparagraphs (a)(5) and (6) of Section C 11 in the material adopted by reference in K.A.R. 4-7-213.

"(5) Milk for manufacturing purposes shall not contain more than 750,000 somatic cells per milliliter for cow milk or 1,000,000 somatic cells per milliliter for goat milk."

(c) The following sentence shall replace Section E 1.8(b) in the material adopted by reference in K.A.R. 4-7-213.

"(b) The bacteriological estimate of commingled milk in storage tanks shall be 1,000,000 per milliliter or lower." (Authorized by K.S.A. 65-720a, 65-1401; implementing K.S.A. 65-701, 65-720n; effective, L.E. 4-10-30-97, Oct. 30, 1997.)

Alice A. Devine
Secretary of Agriculture

Doc. No. 019870

State of Kansas

Kansas Lottery

Temporary Administrative
Regulations

Article 2.—LOTTERY RETAILERS

111-2-1. Application to become a lottery retailer. (a) Persons or businesses wanting to sell lottery tickets or shares shall apply to the Kansas lottery on forms available through the lottery headquarters in Topeka or through any lottery regional office.

(b) Each application to become an instant and on-line lottery retailer shall be accompanied by a fee of \$150.00. All fees shall be non-refundable once a contract is fully executed and a lottery retailer certificate issued. Prior to contract execution and the issuance of a certificate, should the lottery reject or the applicant withdraw an application, the lottery shall refund all but \$50.00 of the application fee. Any applicant for an instant and on-line certificate may also apply for a certificate to sell pull-tabs without paying an additional fee.

(c) Instant and on-line retailers shall be subject to the following:

(1) Retailers are required to have dedicated telephone lines for which they will be charged \$10.00 per week.

(2) Certain instant and on-line retailers whose businesses are seasonal, or are based at events in which Kansas lottery staff is participating, and regularly occur four or fewer days a week during the season, may qualify for cellular telephone services rather than dedicated telephone lines. There shall be no service charges for those on-line retailers selected to receive cellular telephone services available from the lottery.

(d) An applicant to become an instant and on-line lottery retailer shall actively offer for sale current instant games offered by the lottery, unless approved by the executive director as a "social environment establishment" defined at K.A.R. 111-6-1, and all on-line games offered by the lottery.

(e) Each application to become a pull-tab retailer shall be accompanied by a fee of \$25.00, unless the applicant has applied to become an instant and on-line retailer and paid the appropriate fee. All pull-tab application fees shall be non-refundable.

(f) An applicant receiving a lottery retailer certificate pursuant to K.S.A. 74-8708, as amended, may apply for a temporary lottery retailer certificate, good for no more than fourteen days, at a specific location, for special lottery events and other events approved by the executive director. An application for a temporary lottery retailer certificate shall designate the event and the specific location where tickets will be sold.

(g) Effective April 21, 1997, all instant lottery retailers not also certified as on-line lottery retailers shall be eligible to become certified as on-line retailers without payment of the on-line application fee specified in subsection (c), although they shall be subject to the payment of line charges identified in subsection (c)(1). With the conversion to a new on-line system, all instant ticket validation terminals at instant only lottery locations will be replaced with on-line lottery terminals. All instant only retailers

who wish to sell both instant and on-line lottery tickets and shares may submit an application for an instant and on-line certificate without any additional fee. As of October 5, 1997, the certificates and contracts of instant only retailers who choose not to become instant and on-line retailers shall be revoked.

(h) No sale shall be made at any location not authorized by the executive director or his designee.

(i) No natural person shall be selected as a lottery retailer who is the executive director, a member of the commission or an employee of the Kansas lottery; an officer or employee of a vendor contracting with the Kansas lottery to supply gaming equipment or tickets to the Kansas lottery for use in the operation of any lottery conducted pursuant to this act; a spouse, or a person who resides in the same household as any person described in this subsection. (Authorized by K.S.A. 74-8708 and K.S.A. 1996 Supp. 74-8710 and implementing K.S.A. 1996 Supp. 74-8710; effective, T-88-38, Sept. 28, 1987; amended, T-88-61, Dec. 19, 1987; amended, T-111-12-1-88, Dec. 1, 1988; amended, T-111-2-28-95, Feb. 17, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997; amended, T-111-10-27-97, Sept. 12, 1997.)

111-2-43. "Ask for the sale" promotion. (a) During the period beginning October 1, 1997, and ending October 31, 1997, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Convenience Plus stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) On each Friday in October 1997, including October 3, 10, 17, 24, and 31, all Convenience Plus stores' personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Friday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) The Kansas lottery will provide each location with a credit of \$35. This will be credited to each store's account at the beginning of the promotion.

(e) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of Convenience Plus stores.

(f) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away.

(continued)

The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the Convenience Plus store with the greatest percentage increase in total lottery ticket sales for the period from October 1, 1997, through October 31, 1997, over the period from October 1, 1996, through October 31, 1996, will win a portable compact disc player. The second and third place stores will receive promotional items provided by the lottery. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-2-23-96, Feb. 16, 1996; amended, T-111-10-27-97, Sept. 12, 1997.)

111-2-63. "Ask for the sale" promotion. (a) During the period beginning October 1, 1997, and ending October 31, 1997, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all U-Do stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) On each Friday in October 1997, including October 3, 10, 17, 24, and 31, all U-Do stores' personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Friday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) The Kansas lottery will provide each location with a credit of \$35. This will be credited to each store's account at the beginning of the promotion.

(e) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of U-Do stores.

(f) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the U-Do store with the greatest percentage increase in total lottery ticket sales for the period from October 1, 1997, through October 31, 1997, over the period from August 1, 1997, through August 31, 1997, will win a portable compact disc player and promotional items. The second and third place stores will

receive promotional items provided by the lottery. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-10-27-97, Sept. 12, 1997.)

111-2-64. "Ask for the sale" promotion. (a) During the period beginning October 1, 1997, and ending October 31, 1997, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers the following retailers located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets:

Retailer	Location
Corner Cupboard	Osborne
Corner Store	Minneola
Spee-D Stop	Dodge City
Cameron's Corner	Hill City
Bowladium Lanes, Inc.	Goodland
Express Corner 2	Garden City
Mini Super Mart	Ness City
Bush's Market & Video	Solomon
Lamer's market	Salina
First Stop	Pratt
Q Mart Country Store	Kiowa
The Waterin' Hole	Wilson

(b) On each Wednesday in October 1997, including October 1, 8, 15, 23, and 29, from 6:00 a.m. to 6:00 p.m. all store personnel of the retailers listed in subsection (a) selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Wednesday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) The Kansas lottery will provide each location with a credit of \$35. This will be credited to each store's account at the beginning of the promotion.

(e) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of retailer stores listed in subsection (a).

(f) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the store with the greatest percentage increase in total lottery ticket sales for

the period from October 1, 1997, through October 31, 1997, over an average based upon a 31-day period from October 1, 1996, through October 31, 1996, will win credit for a pack of 300 \$1 instant lottery tickets. The first, second and third place stores, based on their percentage increase in total sales, will receive promotional items provided by the lottery.

(h) Any participating store increasing total lottery sales by 20 percent or more over the base period specified in subsection (g) shall receive credit for 10 additional tickets. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-10-27-97, Sept. 12, 1997.)

Article 4.—INSTANT GAMES

**RULES FOR INSTANT GAME NO. 34
"HOT SLOTS"**

111-4-1084. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Hot Slots" commencing on or after September 14, 1997. The specific rules for the "Hot Slots" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1084 through 111-4-1087. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1085. Definitions. The following definitions shall apply to the "Hot Slots" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of nine play spots within the play area. Each game symbol for this instant game is one of the following: symbol of a bell - symbol of a bar - symbol of a lemon - symbol of a pear - symbol of an apple - symbol of a banana - symbol of a bunch of cherries.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
Symbol of a bell	BELL
Symbol of a bar	BAR
Symbol of a lemon	LEMON
Symbol of a pear	PEAR
Symbol of an apple	APPLE
Symbol of a banana	BNANA
Symbol of a bunch of cherries	CHER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book

number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE = Free Ticket; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWL = \$12.00; FTN = \$15.00; STN = \$17.00; TWY = \$20.00; THF = \$35.00; HUN = \$100.00; OTN = \$110.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1086. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the nine game symbols and captions. Each "ROW" or "GAME" will contain three play symbols. If three matching symbols are revealed in one row across, the player wins the prize amount as listed in the legend on the ticket front. Players can win up to three times on this ticket. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1087. Number and value of instant prizes.

(a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 Cherries	Free Ticket	210,000	\$ 0
3 Bells	\$2	84,000	168,000
3 Lemons	\$5	48,000	240,000
3 Pears	\$10	12,000	120,000
3 Pears + 3 Bells	\$12	12,000	144,000
3 Lemons + 3 Pears	\$15	4,800	72,000
3 Pears + 3 Lemons + 3 Bells	\$17	4,200	71,400
3 Apples	\$20	1,800	36,000
3 Apples + 3 Pears + 3 Lemons	\$35	800	28,000
3 Bananas	\$100	90	9,000
3 Bananas + 3 Pears	\$110	120	13,200
3 Gold Bars	\$1,000	10	10,000
		<u>377,820</u>	<u>\$911,600</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.76.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and 74-8720; effective, T-111-10-27-97, Sept. 12, 1997.)

(continued)

**RULES FOR INSTANT GAME NO. 91
"CROSSWORD"**

111-4-1088. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Crossword" commencing on or after September 15, 1997. The specific rules for the "Crossword" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1088 through 111-4-1092. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1089. Definitions. The following definitions shall apply to the "Crossword" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 18 point WGI font and in 15 point WGI font. An 18 point game symbol appears in each of the 18 play spots within the "Your Letters" play area. Each 18 point game symbol for this instant game is one of the following: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z.

(b) "Crossword Grid" letters are printed in black ink in 15 point WGI font. A 15 point game symbol appears in each of the play spots within the "Crossword Grid" play area. Each 15 point game symbol for this instant game is one of the following: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z.

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of sixteen varying locations among the game symbols in each of the game symbols. The codes and their meanings are as follows: TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1090. Cost of ticket. The price of "Crossword" instant tickets sold by a retailer shall be \$2.00 each.

(Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1091. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material labeled "Your Letters" to reveal 18 letters. Players match the revealed letters to the letters on the "Crossword Grid" to spell words. If players have revealed at least four complete words in the "Crossword Grid," they win the corresponding prize in the prize legend. The legend located on the ticket face indicates prizes won for number of words revealed. No ticket will be eligible to win more than one instant prize. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1092. Number and value of instant prizes. (a) There will be approximately 1,500,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prize Legend	Prizes	Expected Number of Prizes in Game	Expected Value in Game
4 words	\$2	325,000	\$ 650,000
5 words	\$5	75,000	375,000
6 words	\$10	25,000	250,000
7 words	\$20	10,000	200,000
8 words	\$50	1,500	75,000
9 words	\$100	750	75,000
10 words	\$5,000	5	25,000
11 words	\$10,000	10	100,000
		<u>437,265</u>	<u>\$1,750,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 3.43.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f); effective, T-111-10-27-97, Sept. 12, 1997.)

**RULES FOR INSTANT GAME NO. 38
"MONEY BUG"**

111-4-1093. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Money Bug" commencing on or after September 15, 1997. The specific rules for the "Money Bug" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1093 through 111-4-1096. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1094. Definitions. The following definitions shall apply to the "Money Bug" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching

captions in WGI Cap font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.⁰⁰ - \$5.⁰⁰ - 10.⁰⁰ - 20.⁰⁰ - \$2500 - \$5000 - symbol of a bug.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game symbol	Game Symbol Caption
\$1. ⁰⁰	ONE\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
\$2500	25-HUN
\$5000	FIVETHOU
Symbol of a bug	DOUBLER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWN = \$20.00; FRY = \$40.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1095. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three of six game which includes a doubler. If three of the six concealed prize amounts match, the player wins the amount shown. If two of the six concealed prize amounts match and a doubler symbol is revealed, the player wins double the prize amount. No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1096. Number and value of instant prizes.

(a) There will be approximately 1,800,000 tickets ordered

for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's	\$1	156,000	\$ 156,000
2 - \$1's (*)	\$2	102,000	204,000
3 - \$5's	\$5	60,000	300,000
2 - \$5's (*)	\$10	12,600	126,000
3 - \$10's	\$10	6,000	60,000
3 - \$20's	\$20	6,000	120,000
2 - \$20's (*)	\$40	1,350	54,000
3 - \$2,500's	\$2,500	2	5,000
2 - \$2,500's (*)	\$5,000	2	10,000
3 - \$5,000's	\$5,000	2	10,000
		<u>343,956</u>	<u>\$1,045,000</u>

(*) Denotes doubler

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.23.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and 74-8720; effective, T-111-10-27-97, Sept. 12, 1997.)

**RULES FOR INSTANT GAME NO. 95
"2 CARD CASH"**

111-4-1097. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "2 Card Cash" commencing on or after September 15, 1997. The specific rules for the "2 Card Cash" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1097 through 111-4-1100. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1098. Definitions. The following definitions shall apply to the "2 Card Cash" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of 18 play spots within the play area. Each game symbol for this instant game is one of the following: \$1.⁰⁰ - \$2.⁰⁰ - \$5.⁰⁰ - 50.⁰⁰ - \$1000 - \$2000 - 2 - 3 - 4 - 5 - 7 - 8 - 9 - 10 - J - Q - K.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
50. ⁰⁰	FIFTY
\$1000	ONE-THOU
\$2000	TWO-THOU
2	TWO

(continued)

3	THR
4	FOR
5	FIV
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG

\$6	12,000	72,000
\$7	12,000	84,000
\$8	5,400	43,200
\$10	4,200	42,000
\$15	1,200	18,000
\$50	2,100	105,000
\$1,000	30	30,000
\$2,000	24	48,000
\$3,000	12	36,000
\$4,000	6	24,000
\$6,000	6	36,000
	<u>306,978</u>	<u>\$1,030,200</u>

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; SIX = \$6.00; SEV = \$7.00; EGT = \$8.00; TEN = \$10.00; FTN = \$15.00; FTY = \$50.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1099. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the five play symbols and one prize symbol for each hand. If two identical play symbols are revealed in one hand, the player wins the prize amount shown for that game. Players can win three times on one ticket. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1100. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	90,000	\$ 90,000
\$2	138,000	276,000
\$3	42,000	126,000

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.86.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-10-27-97, Sept. 12, 1997.)

**RULES FOR INSTANT GAME NO. 29
"COOL CASH"**

111-4-1101. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Cool Cash" commencing on or after September 15, 1997. The specific rules for the "Cool Cash" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1101 through 111-4-1104. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1102. Definitions. The following definitions shall apply to the "Cool Cash" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of four play spots within the play area. Each game symbol for this instant game is one of the following: 1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - \$1.⁰⁰ - \$2.⁰⁰ - 10.⁰⁰ - 20.⁰⁰ - \$1000.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is, as follows:

Game Symbol	Game Symbol Caption
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
\$1. ⁰⁰	ONE\$

\$2.00	TWO\$
10.00	TEN\$
20.00	TWENTY
\$1000	ONE-THOU

\$60	180	10,800
\$1,000	30	30,000
\$2,000	12	24,000
\$3,000	6	18,000
	<u>327,138</u>	<u>\$1,009,200</u>

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FOR = \$4.00; SIX = \$6.00; TEN = \$10.00; TWY = \$20.00; TRY = \$30.00; FRY = \$40.00; SXY = \$60.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1103. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the four game symbols and captions. If "Your Number" matches any of the three "Lucky Numbers," the player wins the prize in the prize box. Players can win up to three times. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-19-27-97, Sept. 12, 1997.)

111-4-1104. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	120,000	\$ 120,000
\$2	114,000	228,000
\$3	30,000	90,000
\$4	24,000	96,000
\$6	21,000	126,000
\$10	10,200	102,000
\$20	6,900	138,000
\$30	600	18,000
\$40	210	8,400

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.50.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-10-27-97, Sept. 12, 1997.)

**RULES FOR INSTANT GAME NO. 36
"CASH ENCOUNTERS"**

111-4-1105. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Cash Encounters" commencing on or after September 15, 1997. The specific rules for the "Cash Encounters" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1105 through 111-4-1108. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

111-4-1106. Definitions. The following definitions shall apply to the "Cash Encounters" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$5.00 - 10.00 - 20.00 - \$2500 - \$5000 - symbol of an alien.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
\$2500	25-HUN
\$5000	FIVETHOU
Symbol of an alien	DOUBLER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of

(continued)

the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 27, 1997.)

111-4-1107. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three of six game which includes a doubler. If the player matches three like prize amounts, the player wins the amount shown. If two of the six concealed prize amounts match and a doubler symbol is found the player wins double the prize amount. No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-10-12-97, Sept. 12, 1997.)

111-4-1108. Number and value of instant prizes.

(a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's	\$1	156,000	\$ 156,000
2 - \$1's (*)	\$2	102,000	204,000
3 - \$5's	\$5	60,000	300,000
2 - \$5's (*)	\$10	12,600	126,000
3 - \$10's	\$10	6,000	60,000
3 - \$20's	\$20	6,000	120,000
2 - \$20's (*)	\$40	1,350	54,000
3 - \$2,500's	\$2,500	2	5,000
2 - \$2,500's (*)	\$5,000	2	10,000
3 - \$5,000's	\$5,000	2	10,000
		<u>343,956</u>	<u>\$1,045,000</u>

(*) Denotes doubler

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.23.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and

(f), and K.S.A. 75-8720; effective, T-111-10-27-97, Sept. 12, 1997.

Article 5.—POWER BALL

111-5-23. Definitions. The following definitions shall apply to the "Powerball" game:

(a) "Computer pick" means the random selection of two-digit numbers by the computer system, which appear on a ticket and are played by a player in the game.

(b) "Drawing" means the formal process of selecting winning numbers which determine the number of winners for each prize level of the game.

(c) "Game board" or "boards" means that area of the play slip which contains two sets of numbered squares to be marked by the player, each set containing 49 squares, number one through 49, and the second set containing 42 squares, number one through 42.

(d) "Game ticket" or "ticket" means a computer generated ticket issued by a terminal to a person as a receipt for the combination a person has selected.

(e) "MUSL" means the Multi-State Lottery Association, a government-benefit association wholly owned and operated by the party lotteries.

(f) "MUSL Board" means the governing body of the MUSL which is comprised of the chief executive officer of each party lottery.

(g) "On-line lottery game" means a lottery game connected by telephone lines or other similar communication methodology, owned or controlled by the lottery, to a central computer in which each player selects numbers out of a larger predetermined set or sets of numbers.

(h) "Party Lottery" means a state lottery or lottery of a political subdivision or entity which has joined the MUSL and, in the context of these Powerball product group rules, which has joined in selling the Powerball game.

(i) "Product group" means the group of lotteries which has joined together to offer a product pursuant to the terms of the multi-state lottery agreement and the group's own rules.

(j) "Play" means the six numbers, the first five from a field of 49 numbers and the last one from a field of 42 numbers, that appear on a ticket as a single lettered selection and are to be played by a player in the game.

(k) "Play slip" means a card used in marking a player's game plays and containing one or more boards.

(l) "Retailer" or "agent" means a person or entity authorized by the Kansas lottery to sell lottery tickets.

(m) "Set Prize" means all other prizes except the grand prize that are advertised, to be paid by a single cash payment and, except in rare instances, outlined in these rules, will be equal to the prize amount established by the MUSL Board for the prize level.

(n) "Terminal" means a device authorized by a party lottery to function in an on-line, interactive mode with the lottery's computer system for the purpose of issuing lottery tickets and entering, receiving and processing lottery transactions, including purchases, validating tickets and transmitting reports.

(o) "Validation" or "validate" means the process of determining whether a ticket presented for a prize is a winning ticket.

(p) "Winning numbers" means the six numbers, the first five from a field of 49 numbers and the last one from a field of 42 numbers, randomly selected at each drawing which shall be used to determine winning plays contained on a game ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-24. Game description; retail sale of tickets.

(a) "Powerball" is a five out of 49 plus one out of 42 on-line lottery game which pays the grand prize, at the election of the player made at the time of play purchase, either on an annuitized pari-mutuel basis, or as a cash lump sum payment of the total cash held for this prize on a parimutuel basis. Except as provided in these rules, all other prizes are paid on a set cash basis. To play "Powerball" a player shall select five different numbers between one and 49 and one additional number between one and 42 for input into a terminal. The additional number may be the same as one of the first five numbers selected by the player.

(b) A "Powerball" game ticket shall sell for one dollar.

(c) Tickets shall not be sold to any person under the age of 18 years. Each retailer may require a person purchasing tickets to produce proof of age.

(d) Each ticket shall be purchased from a terminal operated by a retailer. The player may select a set of five numbers and one additional number by:

(1) communicating the six numbers to the retailer;

(2) marking six numbered squares in any one game board on a play slip and submitting the play slip to the retailer; or

(3) requesting a "computer pick" from the retailer. The retailer shall then issue a ticket from the terminal containing the selected set or sets of numbers, each of which constitutes a game play.

(e) A validated ticket shall be proof of a game play or plays. The only method of claiming a prize or prizes shall be the submission of the winning ticket to and receipt of the ticket by the lottery or its authorized agent. A play slip shall have no pecuniary or prize value and shall not be used as evidence of a ticket purchase or of numbers selected.

(f) A ticket shall not be voided or cancelled by returning the ticket to the selling retailer, including tickets that are printed in error.

(g) Ticket sales will end at approximately 8:59 p.m. central time on Wednesdays and Saturdays and will resume at approximately 9:05 p.m.

(h) Drawings will be conducted twice weekly, on Wednesdays and Saturdays at approximately 9:58 p.m. central time (CT), after the game is closed at approximately 8:59 p.m. central time (CT) and the external auditor has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(i) Each player shall be responsible for verifying the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is deemed to be acting on behalf of the player in entering the play or plays. (Authorized by K.S.A. 1996 Supp. 74-8710; imple-

menting K.S.A. 1991 Supp. 75-8710 and 74-8718; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-5-21-92, May 15, 1992; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-25. Prize pool; reserve account. (a) The prize pool for all prize categories shall consist of 50% of each drawing period's sales after the prize reserve accounts are funded to the amounts set by the product group. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the product group.

(b) Two percent of sales shall be placed in trust in one or more prize reserve accounts until the prize reserve accounts reach the amount designated by the MUSL board. When the prize reserve accounts exceed the designated amount, the excess shall become part of the prize pool. Any amount remaining in prize reserve accounts at the end of this game shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the product group in accordance with state law. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-26. Expected prize payout pari-mutuel prizes.

(a) The grand prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages:

Number of Matches Per Play	Prize Payment	Prize Pool Percentage Allocated to Prize
All five (5) of first set plus one (1) of second set	Grand Prize	58.3884%
All five (5) of first set and none of second set	\$100,000	10.2386%
Any four (4) of first set plus one (1) of second set	\$ 5,000	2.7470%
Any four (4) of first set and none of second set	\$ 100	2.2524%
Any three (3) of first set plus one (1) of second set	\$ 100	2.3624%
Any three (3) of first set and none of second set	\$ 7	6.7800%
Any two (2) of first set plus one (1) of second set	\$ 7	2.3152%
Any one (1) of first set and one (1) of second set	\$ 4	6.7800%
None of first set plus one (1) of second set	\$ 3	8.1360%

(b) The prize money allocated to the grand prize category shall be divided equally by the number of game boards winning the grand prize.

(c) The prize pool percentage allocated to the set prizes (the cash prizes of \$100,000 or less) shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the set prizes awarded in the current draw. If the total of the set prizes awarded in a drawing exceeds the percentage of the prize pool allocated to the set prizes, then the amount needed to fund the set prizes awarded shall be drawn from the following sources, in the following order: (1) the amount allocated to the set prizes and carried forward from previous draws, if any; (2) an

(continued)

amount from the prize reserve account, if available, not to exceed thirty million dollars (\$30,000,000) per drawing. If, after these sources are depleted, there are not sufficient funds to pay the set prizes awarded, then the highest set prize shall become a pari-mutuel prize. If the amount of the highest set prize, when paid on a pari-mutuel basis, drops to or below the next highest set prize and there are still sufficient funds to pay the remaining set prizes awarded, then the next highest set prize shall become a pari-mutuel prize. This procedure shall continue down through all set prize levels, if necessary, until all set prize levels become pari-mutuel prize levels. In that instance the money available from the funding sources listed in this rule shall be divided among the winning plays in proportion to their respective prize percentages. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-27. Probability of winning. (a) The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category based upon the total number of possible combinations in Powerball:

Number of Matches Per Ticket	Probability Distribution		Probable/Set Prize Amount
	Winners	Probability	
All five (5) of first set plus one (1) of second set	1	1:80,089,128.000000	\$46,762,840
All five (5) of first set and none of second set	41	1:1,953,393.365854	\$100,000
Any four (4) of first set plus one (1) of second set	220	1:364,041.490909	\$5,000
Any four (4) of first set and none of second set	9,020	1:8,879.060754	\$100
Any three (3) of first set plus one (1) of second set	9,460	1:8,466.081184	\$100
Any three (3) of first set and none of second set	387,860	1:206.489785	\$7
Any two (2) of first set plus one (1) of second set	132,440	1:604.720085	\$7
Any one (1) of first set and one (1) of second set	678,755	1:117.994163	\$4
None of first set plus one (1) of second set	1,086,008	1:73.746352	\$3
Overall	2,303,805	1:34.763849	

(b) The grand prize amount is estimated using a 25-year deferred-payment factor of 2.0. The amount does not include the prize reserve account deduction or any other deductions, if any. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-28. Prize payments; annuitized and cash prizes. (a) Grand prizes shall be paid at the election of the player made at the time of the play purchase with either a per winner annuity or cash payment. Shares of the grand prize shall be determined by dividing the cash available in the grand prize pool equally among all winners of the grand prize. Winner(s) who elected a cash payment shall be paid their share(s) in a single cash payment. The annuitized option prize shall be determined by multiplying a winner's share of the grand prize pool by the MUSL annuity factor. The MUSL annuity factor is determined by the best total securities price obtained through a competitive bid of qualified, pre-approved brokers made after the prize win. In certain instances an-

nounced by the product group, the grand prize shall be a guaranteed amount and shall be determined pursuant to subsection (f) of K.A.R. 111-5-28. If the player fails to elect a payment method at the time of purchase, the system will automatically select the annuitized payment. If individual shares of the cash held to fund an annuity are less than \$250,000, the product group, in its sole discretion, may elect to pay winners their share of the cash held in the grand prize pool of the annuity. All annuitized prizes shall be paid annually in 25 equal payments with the initial payment being made in cash, to be followed by 24 payments funded by the annuity. Funds for the initial payment of an annuitized prize shall be made available by MUSL for payment by a party lottery by the fifteenth calendar day following the drawing. A state may elect to make the initial payment from its own funds after validation, with notice to MUSL.

(b) In the event of the death of a lottery winner during the payment period, the product group, in its sole discretion, upon the petition of the estate of the lottery winner to the Kansas lottery, may accelerate the payment of all of the remaining lottery proceeds to the estate. If the product group makes such a determination, then securities and/or cash held to fund the deceased lottery winner's annuitized prize may be distributed to the estate. The identification of the securities to fund the annuitized prize shall be at the sole discretion of the product group.

(c) All low tier cash prizes, which are all prizes except the grand prize, shall be paid in cash through the party lottery which sold the winning ticket(s). A party lottery may begin paying low-tier cash prizes after receiving authorization to pay from the MUSL central office.

(d) Annuitized payments of the grand prize or a share of the grand prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Breakage on an annuitized grand prize win shall be added to the first cash payment to the winner or winners. Prizes other than the grand prize, which, under these rules, may become single-payment, pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(e) If the grand prize is not won in a drawing, the prize money allocated for the grand prize shall roll over and be added to the grand prize pool for the following drawing.

(f) The product group may offer guaranteed minimum grand prize amounts or minimum increases in the grand prize amount between drawings or make other changes in the allocation of prize money where the product group finds that it would be in the best interest of the game. If a minimum grand prize amount or a minimum increase in the grand prize amount between drawings is offered by the product group, then the grand prize shares shall be determined as follows. If there are multiple grand prize winners during a single drawing, each selecting the annuitized option prize, then a winner's share of the guaranteed annuitized grand prize shall be determined by dividing the guaranteed annuitized grand prize by the number of winners. If there are multiple grand prize winners during a single drawing and at least one of the grand prize winners has elected the annuitized option prize, then the best bid submitted by MUSL's pre-approved

qualified brokers shall determine the cash pool needed to fund the guaranteed annuitized grand prize. If no winner of the grand prize during a single drawing has elected the annuitized option prize, then the amount of cash in the grand prize pool shall be an amount equal to the guaranteed annuitized amount divided by the average annuity factor of the most recent three best quotes provided by MUSL's pre-approved qualified brokers submitting quotes. In no case shall quotes be used which are more than two weeks old and if less than three quotes are submitted, then MUSL shall use the average of all quotes submitted. Changes in the allocation of prize money shall be designed to retain approximately the same prize allocation percentages, over a year's time, set out in these rules. Minimum guaranteed prizes or increases may be waived if the alternate funding mechanism set out in K.A.R. 111-5-26 becomes necessary.

(g) The holder of a winning ticket may win only one prize per board in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(h) All prizes must be claimed within 365 days of the day of the drawing in which the prize was won. In the event the final day of the 365-day period falls on a Saturday, a Sunday or a state holiday, the claim period will be extended to 5:00 p.m. on the next business day. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-2-23-93, Feb. 19, 1993; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-30. Claiming prizes; procedure and time period. (a) Prior to the payment of any prize, each ticket shall be validated by the retailer or lottery office pursuant to this act.

(b) The procedure for payment of a "Powerball" prize on any single game ticket of \$599 or less, except for a grand prize, are as follows:

(1) The claimant of a ticket purchased in Kansas may present the ticket to any Kansas lottery on-line retailer. Upon validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. If the retailer cannot validate the claim, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to any office of the Kansas lottery. If the claim is validated, then payment shall be made to the claimant by mail.

(2) The claimant may bring the signed ticket to any regional office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the claim, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope, except an official grand prize envelope, to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the claim, payment shall be processed for the claimant.

If any evidence of alteration, mutilation, tear, or other ambiguity appear on the ticket, the retailer shall not make direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Powerball prize on any single game ticket which totals \$600.00 or more, except for a grand prize, shall be as follows:

(1) The claimant may bring the signed ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the claim and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the signed ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the claim, payment shall be processed for the claimant.

(d) The procedure for the payment of a grand prize or for prizes won on the same ticket as a grand prize are as follows:

(1) The claimant shall personally submit the signed ticket and a completed claim form to a Kansas regional or state lottery office. Grand prizes and prizes won on the same ticket as grand prize shall not be claimed by mail.

(e) All prizes shall be claimed within 365 days of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and 74-8720; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-31. Ticket responsibility. (a) Until such time as a signature is placed on the back of a ticket in the area designated for a signature, a ticket shall be owned by the holder of the ticket. When a signature is placed on a ticket in the place designated, the person whose signature appears in that area shall be the owner of the ticket and shall be entitled to any prize attributable thereto.

(b) If the signature of more than one person appears on the back of the ticket in the designated place, the lottery shall make payment to the person presenting the ticket whose signature appears on both the ticket and the winner claim form. If all persons whose signatures appear in the appropriate space cannot identify one person to whom payment should be made, the lottery shall keep the prize until a determination of entitlement is made by the parties. In no event shall more than one person be entitled to a particular prize.

(c) The product group, the MUSL and Kansas lottery shall not be responsible for lost or stolen tickets. (Authorized by K.S.A. Supp. 74-8710; implementing K.S.A. Supp. 74-8710 and 74-8720; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-33. Multi-draw. (a) In addition to a single play for each \$1.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, 6, 7, 8, 9 or 10 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.

(b) A player must pay an additional \$1.00 per play for each additional drawing in which he or she wishes to play.

(continued)

(c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to 8:59 p.m. the day of the drawing.

(d) A player may purchase only the same numbers on the same boards for multiple drawings.

(e) Multi-draw tickets for Powerball drawings conducted after the September 13, 1997, business day shall not be available for purchase prior to the business day beginning September 14, 1997.

(f) Multi-draw tickets for Powerball drawings conducted after the November 1, 1997, business day shall not be available for purchase prior to the business day beginning November 2, 1997.

(g) A business day for the purposes of this game shall be defined at subsection (p) of K.A.R. 111-6-1. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-8-11-97, July 18, 1997; amended, T-111-10-27-97, Sept. 12, 1997.)

111-5-60a. Alternative method of entry. In the event lottery on-line terminals at the Kansas state fair fail to generate entry coupons as a result of a single purchase \$5 Powerball ticket on September 14, 1997, the following procedures shall apply:

(a) Lottery security personnel will produce provisional entry coupons of the same approximate size as a \$5 Powerball ticket entry coupon. Standard Kansas lottery ticket stock will be utilized for the provisional entry coupons. The ticket stock serial number will be recorded and retained by security.

(b) Any eligible lottery customer at the 1997 Kansas state fair who presents a single \$5 Powerball ticket containing the state fair retailer number and a printed sales date denoting the 257th day of calendar year 1997, may present the ticket to lottery security to obtain a provisional entry coupon.

(c) After verifying the eligibility of an entry coupon, security will initial and time date on the ticket and on the coupon. The entry coupon and ticket will then be given to the customer. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-10-27-97, Sept. 12, 1997.)

Article 6.—ON-LINE GENERIC

111-6-5. Payment of prizes. (a) Following the drawing for which an on-line ticket was purchased, and prior to the payment of any prize, the claimant shall present the winning on-line ticket to any on-line retailer, or any Kansas lottery office for validation.

(b) The procedure for payment of a single game prize of \$599, or less, except for a jackpot prize, is as follows:

(1) The holder of the ticket may present it to any on-line retailer. If the on-line retailer cannot validate the claim, or if the amount of the claim exceeds \$599, the claimant may obtain and complete a claim form and submit it with the ticket to the lottery by mail or in person. Upon validation of the ticket, the retailer shall immediately pay the holder of the ticket.

(2) Prizes payable by on-line retailers shall be paid during all normal business hours of the retailer, provided the on-line system is operational and claims can be validated.

(3) An on-line retailer may pay prizes in cash or by business check, certified check, or money order, or any combination thereof. An on-line retailer who pays a prize with a check which is dishonored may be subject to suspension or termination of its contract.

(4) A winning on-line ticket offering a free ticket or tickets may be claimed at any on-line retailer location or at any Kansas lottery office. If a winning on-line ticket offers the player 15 or more free tickets, the prize must be claimed at lottery headquarters. A player claiming a free ticket prize at the lottery may be issued either a free ticket or a \$1.00 prize payment at the discretion of the executive director.

(c) To claim an on-line prize of more than \$599, the claimant shall obtain and complete a claim form and submit it with the winning ticket to the lottery's headquarters in Topeka by mail or in person. Prizes greater than \$599 can only be paid from the lottery's headquarters in Topeka. Upon determination that the ticket is a winning ticket, the lottery shall process for payment the amount due, less any withholding required by state and federal laws. The amount due shall be calculated according to the rules adopted for the particular on-line game. If the ticket is determined to be a non-winning ticket, the claim shall be denied and the claimant shall be promptly notified.

(d) If the claim is presented to a lottery regional office or to lottery headquarters, the claimant may complete a claim form regardless of the prize amount and submit it with the winning ticket, either by mail or in person. Upon determination that the ticket is a winning ticket, the lottery shall present or mail a check to the claimant in payment of the amount due, less any withholding required by state and federal laws.

(e) All prizes must be claimed within 365 days including the first day of the game or the drawing in which the prize was won. In the event the final day of the 365-day period falls on a day lottery headquarters is not open for business between 8:00 a.m. and 5:00 a.m. or a federal holiday, the claim period will be extended to 5:00 p.m. on the next business day. Any prizes not claimed within the specified period shall be added to the prize pools of subsequent Kansas lottery games.

(f) If the ticket is determined to be a non-winning ticket, the claim shall be denied and the claimant shall be promptly notified. Non-winning tickets will not be returned to the claimant.

(g) A validated ticket shall be the only proof of a game play or plays, and the submission of a winning ticket to and receipt of the ticket by the lottery or its authorized retailer shall be the sole method of claiming a prize.

(h) Claims in excess of \$599 shall not be paid by lottery retailers. The lottery has no obligation to reimburse retailers paying claims in excess of \$599. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-7-30-93, July 23, 1993; amended, T-111-8-5-94, July 15, 1994; amended, T-111-7-22-96, July 19, 1996; amended, T-111-10-27-97, Sept. 12, 1997.)

Gregory P. Ziemak
Executive Director

Doc. No. 019850

State of Kansas

Child Death Review Board

Permanent Administrative
Regulations

Article 1.—CHILD DEATHS

124-1-1. Coroner guidelines for identifying suspicious deaths of children. (a) Coroners shall use the following protocol in identifying a suspicious death of a child.

(b) "Suspicious death" means a death which appears to result from suspicious circumstances or unknown cause and does not result from an identifiable natural cause.

(c) The following deaths shall be considered suspicious:

- (1) a death from unknown causes; or
- (2) a death from other than identified natural causes.

(d) "Suspicious circumstances" means circumstances which do not rise to the level of belief or knowledge but which encompass apprehension of something wrong without proof or upon slight evidence.

(e) To identify a suspicious death of a child, a coroner shall evaluate whether any suspicious circumstances were reported as present at or during the time leading up to any death of a child. (Authorized by and implementing K.S.A. 22a-243(h); effective Nov. 21, 1997.)

124-1-2. Investigation of child deaths. The following protocol shall be used in investigating child deaths by a records review: (a) Birth and death certificates received from the Kansas department of health and environment shall be reviewed by the executive director of the board.

(b) Coroner's reports shall be received and reviewed by the executive director of the board.

(c) Additional reports and information from such entities as may be appropriate may be requested by the executive director.

(d) Any additional reports and information received shall be reviewed by the executive director of the board.

(e) Each case of a child's death which is reported to the board shall be assigned to a board member by the executive director.

(f) A copy of all case materials shall be provided to the assigned board member by the executive director.

(g) All case materials shall be reviewed by the assigned board member. Additional information may be requested by the assigned board member.

(h) The assigned board member shall report to the board on the assigned child death case.

(i) The assigned board member's report may be accepted by the board or the matter may be continued by the board for additional follow-up activity or further investigation.

(j) The assigned board member shall complete the report to the board at the conclusion of the investigation or any follow-up activity, and the chairperson of the board shall then close the investigation.

(k) If the board determines that the manner or cause of death listed on the death certificate is questionable based upon its review of the case, any concerns shall be communicated by the board to the appropriate county or district attorney, and further action may be recommended by the board. (Authorized by and implementing K.S.A. 22a-243(h); effective Nov. 21, 1997.)

124-1-3. Coordination and cooperation among agencies involved in child deaths. (a) An agreement with the Kansas department of health and environment shall be sought by the board in which, by the fifth day of each month, the department will provide to the board copies of child death certificates with any associated birth certificates that have been filed in the office of vital statistics in the previous month.

(b) An agreement with the Kansas department of social and rehabilitation services shall be sought by the board whereby, upon request of the board, the department will check its records and provide information to the board regarding services provided to families either before or at the time of a child's death.

(c) Cooperation with law enforcement agencies will be sought by the board whereby, upon request of the board, a law enforcement agency will provide copies of reports and any other supporting documents relative to a child's death and any subsequent investigation.

(d) Cooperation with district and deputy coroners shall be sought by the board whereby, upon request of the board, a district or deputy coroner will provide copies of autopsy reports which have been performed on children who have died in Kansas.

(e) Cooperation with schools, mental health providers, and public and private medical health providers shall be sought by the board whereby, upon request of the board, the entity will provide relevant information and records.

(f) Copies of the birth and death certificates, social and rehabilitation services, law enforcement and coroner information and reports shall be provided to the executive director for further dissemination to the assigned board member. (Authorized by and implementing K.S.A. 22a-243(h); effective Nov. 21, 1997.)

124-1-4. Facilitating prosecution for abuse and neglect. (a) A check list for use by law enforcement officers as an aid in child death case evaluations and filing decisions shall be developed and distributed by the board.

(b) The board shall communicate annually with district and deputy coroners regarding the requirements of K.S.A. 22a-242. (Authorized by and implementing K.S.A. 22a-243; effective Nov. 21, 1997.)

Betty M. Glover
Executive Director

Doc. No. 019867

(Published in the Kansas Register November 6, 1997.)

Lyon County, Kansas

Resolution No. 52-97

A Resolution Authorizing and Providing for the Public Sale of General Obligation Bonds, Series 1997A (Bridges) of Lyon County, Kansas; Setting Forth the Details of Said Sale; and Providing for the Giving of Notice Thereof

Be it resolved by the governing body of Lyon County, Kansas:

Section 1. That it is hereby determined to be necessary and it is hereby authorized, directed and ordered, that General Obligation Bonds, Series 1997A (Bridges) of Lyon County, Kansas, shall be sold at public sale and in the manner provided by law, on Thursday, November 20, 1997, at 10:00 a.m. C.S.T. Such bonds shall be in the total principal amount of One Million Seven Hundred Five Thousand Dollars (\$1,705,000) and shall be dated December 1, 1997 (the "Bonds").

Section 2. That the Bonds shall mature and be payable as follows:

Maturity (December 1)	Amount
1999	\$135,000
2000	140,000
2001	150,000

2002	160,000
2003	165,000
2004	175,000
2005	180,000
2006	190,000
2007	200,000
2008	210,000

Section 3. That it is hereby further authorized, ordered and directed that the Notice of Bond Sale shall be published one time not more than thirty (30) days and not less than six (6) days prior to the date of said sale as required by law, one time in the *Emporia Gazette*, the official newspaper of Lyon County, Kansas, and one time in the *Kansas Register*, as provided by law.

Section 4. That it is hereby further authorized, ordered and directed that copies of the Notice of Bond Sale, together with the County's bid form for this issue of Bonds, be distributed to prospective bidders on the Bonds.

Adopted this 23rd day of October 1997.

Board of County Commissioners
Lyon County, Kansas
Wayne Leffler, Chairman
Myron Van Gundy, Member
Peggy J. Torrens, Member

Attest: Karen K. Hartenbower
Lyon County Clerk

Doc. No. 019852

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index to the 1997 Volumes of the *Kansas Administrative Regulations*.

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			111-7-44 through					
			111-7-54	Revoked	V. 13, p. 340			
			111-7-46	Amended	V. 11, p. 1152			
			111-7-54	Amended	V. 11, p. 1511			

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 16, p. 1469
115-2-1	Amended	V. 16, p. 248
115-2-3	Amended	V. 16, p. 1471
115-3-2	Amended	V. 16, p. 1471
115-4-1	Amended	V. 16, p. 823
115-4-3	Amended	V. 16, p. 824
115-4-5	Amended	V. 16, p. 825
115-4-6	Amended	V. 16, p. 826
115-4-7	Amended	V. 16, p. 828
115-4-13	Amended	V. 16, p. 829

115-9-5	Amended
115-14-3	Amended
115-14-9	Amended
115-18-7	Amended
115-18-13	Amended
115-18-15	New
115-30-3	Amended
115-30-6	Amended

V. 16, p. 1472
V. 16, p. 1175
V. 16, p. 1175
V. 16, p. 1551
V. 16, p. 1472
V. 16, p. 1551
V. 16, p. 249
V. 16, p. 249

117-4-2 Amended V. 16, p. 304

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

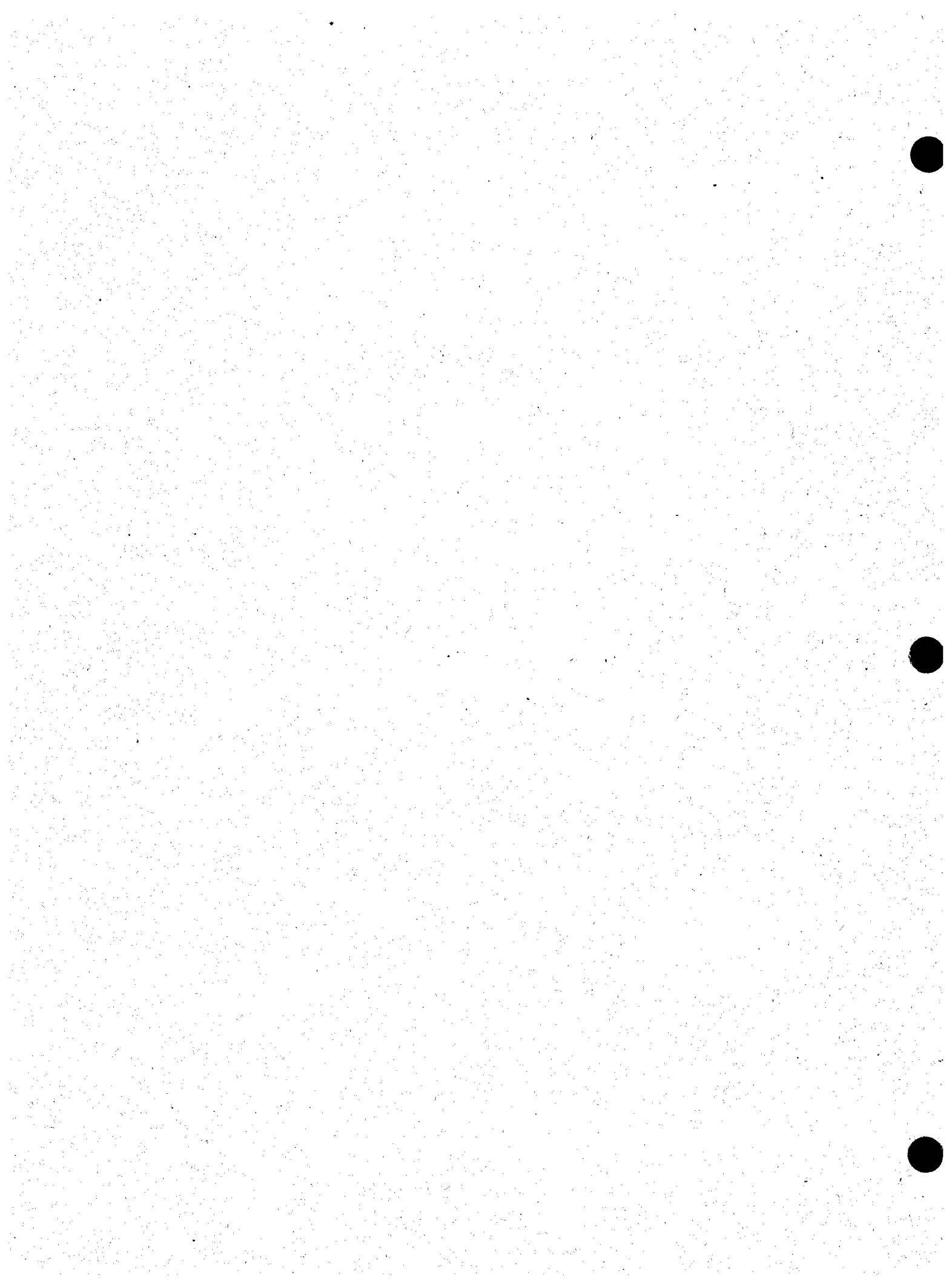
Reg. No.	Action	Register
121-4-1 through 121-4-11	New	V. 16, p. 72-77
121-5-1	New	V. 16, p. 1048
121-5-2	New	V. 16, p. 1048

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 16, p. 302
117-3-2	Amended	V. 16, p. 303

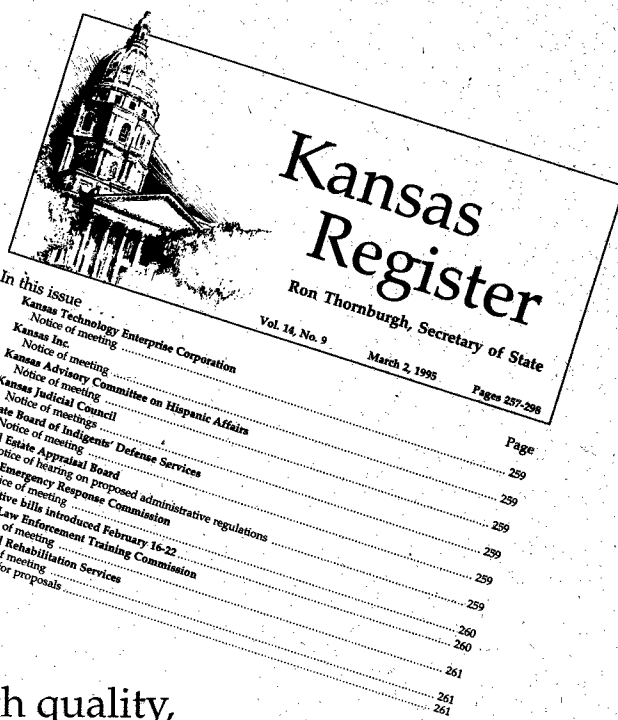
AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-2-1	New	V. 16, p. 1173



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